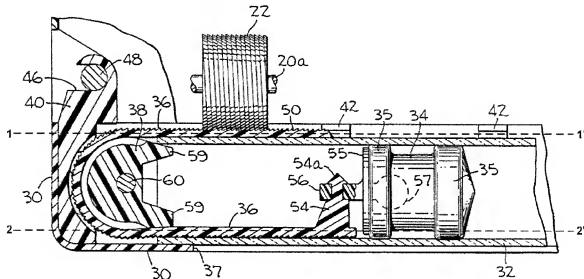


Remarks

Claims 1-5 and 7 have been allowed. Claims 8-11 have been rejected as anticipated by an earlier patent to Beard. Claim 8 has been amended to clarify the distinction between Applicants' invention and the prior art. No new matter has been added.

The drive assembly in amended claim 8 differs from the prior art for at least two reasons. First, claim 8 in part requires "a plunger rod having a single longitudinal rod axis parallel to and displaced from the longitudinal barrel axis." The pusher tape 36 in Beard has a U-shaped bend at one end which is *essential* to the Beard invention: "Most importantly, by eliminating the conventional piston rod or plunger stem for the plunger of the syringe, the necessary space required for the apparatus is considerably reduced; hence, the apparatus may be contained in a very compact and efficient package." *Col. 6, lines 18-23*. To the extent that Beard's pusher tape has anything that might resemble "a longitudinal axis," the requirement for a U-shape suggests at least two separate such axes as shown by the dashed lines 1-1' and 2-2' in the following annotated figure:



In addition, claim 8 also requires "the plunger rod terminating in a plunger at one end of the single longitudinal rod axis," keeping in mind that the single longitudinal rod axis is "parallel to and displaced from the longitudinal barrel axis." But in Beard, the pusher tape 36 does not terminate at the plunger 35 at one end of a single longitudinal rod axis. Rather, the Beard pusher tape connects to the plunger at the center of the plunger (via elements 54 and 56), which is also the longitudinal barrel axis itself and not a parallel and displaced axis. Thus, the Beard pusher tape does not terminate in a plunger in the way required by claim 8.

For at least the foregoing reasons, claim 8 is patentably distinct from the teachings and suggestions of Beard, and is therefore allowable. Claims 9-11 depend from claim 8 and are allowable for the same reasons.

It is submitted that all the claim rejections have been addressed and that all of the pending claims are now in a condition for allowance. Reconsideration of the application and issuance of a notice of allowance are respectfully requested.

Conclusion

Applicants believe that no extension of time is required; however, this conditional petition is made to provide for the possibility that the applicants have inadvertently overlooked the need for an extension of time. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call applicants' attorney at the telephone number listed below.

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Respectfully submitted,

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